

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

REGINALD YEARBY)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.: 2:05-cv-490-T
)	
SCOTT MIDDLEBROOKS,)	
WARDEN)	
)	
Respondent.)	

MOTION FOR EXTENSION OF TIME

Come now the Respondent, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to Rules 6(b) and 12 of the Federal Rules of Civil Procedure and moves the Court for a 20-day extension of time within which to file an answer or other response in the above-styled case. In support of this motion, respondent shows unto the Court the following:

1. Respondent received petitioner's Writ of Habeas Corpus petition on or about July 7, 2005. The current deadline for filing an answer or other response is July 27, 2005.
2. Respondent requires the assistance of Terry Collins, Senior Counsel for the Federal Bureau of Prisons, in preparing said answer or other response.
3. Terry Collins will be out of the office July 18-24 and unable to assist in the compilation of an answer or other response.

Therefore, Respondent respectfully request a 20-day extension of time, to and

including August 16, 2005 in which to prepare and file an answer or other response.

Dated this 15th day of July, 2005.

LEURA G. CANARY
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed, by United States Postal Service, a copy of same to the following non-CM/ECF participant(s):

Reginald Yearby
Birmingham Unit
Federal Prison Camp
Maxwell Air Force Base
Montgomery, AL 36112

s/R. Randolph Neeley
Assistant United States Attorney